

Dear Judiciary Committee:

Words matter, and ideas matter. For these reasons, I **OPPOSE Senate Bill 16 (SB16)**.

I offer the following quotes from the testimony of Ashley Hlebinsky, Curator of the Cody Firearms Museum, at the **United States Senate Subcommittee on the Constitution, Committee on the Judiciary** regarding “ghost guns” on May 11, 2021, in addition to my own sentiments on these subjects. This same testimony was heard by our very own Senator Richard Blumenthal.

1. The use of the term “ghost gun” is misleading and politically charged:

*Certain terms like, “Ghost Guns” evoke strong emotions, however, they also create a false sense of authority on the subject matter that can make discussions unproductive. It creates a perception about certain firearms that may not align with reality. For example, with the term, “Ghost Gun,” it is possible that someone could **conflate** that classification to mean **undetectable** rather than **untraceable**, meaning that people could assume the gun is able to bypass security scanners, which is understandably concerning to the general public, rather than be considered untraceable as a means of identification **after a crime** rather than **prevent** one.*

On serial numbers:

*It is certainly easier to purchase an **already made firearm** that will definitely function, and **file the serial number off** to use in criminal activity rather than assembling a purchased parts kit onto a drilled and machined 80% receiver, which is **not guaranteed** to function correctly and requires considerable time, equipment, and ability for manufacture. Therefore, the idea that a serial number and markings are the be all to end all in tracing crime is simply not accurate and many other factors are utilized when trying to track down a criminal.*

*The BATFE recognizes the legitimate process of privately-made firearms. As well, a **prohibited person buying a kit to make a firearm is already unlawful**. Further, it was stated multiple times in the BATFE document that the markings are really a **post-crime resource** (so **not necessarily reducing crime** in this instance, rather making it easier to track the firearm used in a crime to the last known possessor)*

On 80% versus 100% receivers:

*In today’s law, certain receivers that would be considered **100%** can be purchased and assembled with parts kits, however, those are already **subject to serial number identification and background checks**. It is the colloquially used **80% designation** which is the topic of conversation as this is a **more involved and time-consuming process**, which does not fall under the same regulation of the aforementioned 100% receiver. While the*

term “Ghost Gun” is related to the latter, the two are often conflated and used interchangeably when discussing this with each other and the public

And on enforcement:

*As members of the Committee of the Judiciary, you recognize there are currently laws addressing these issues. **Straw Purchases** are referenced in the BATFE Proposal as a great means of enforcement. However, in 2017, **112,000 straw purchases were attempted**. Federal investigators had names and addresses of all these people, but they **only prosecuted 12 of them***

2. Regarding other provisions contained in SB16:

Assault weapons ban:

The continued and additional proposed bans on modern sporting rifles constitutes an infringement on the second amendment. The term “assault weapon” is both politically and emotionally charged and is not an accurate representation of the firearm. Basing the legality of a firearm on its color or exterior appearance says nothing of its ability or effect, and has nothing to do with its use in illegal activity. Consider that, if a determination of a person or group of people was made based on color or external appearance, that would be an obvious case of *racism*. Further, statistics from the FBI show that *rifles of any type* are used in a miniscule number of crimes (under 7,000 out of almost 540,000 recorded incidents in 2020).

Modified carry laws – duty to show permit:

The requirement for a permit holder to produce his permit on demand accounts to an infringement of the 4th amendment protection against illegal search and seizure. In spite of the reduction in crime that may occur, laws such as “Stop and Frisk” (NYC) were ruled unconstitutional. Further, there are several well-publicized incidents occurring in this state where gun owners were harassed by police and even taken into custody when bystanders called the police simply because the individual was in possession of a firearm. The Connecticut State Police issued guidance in 2013 (Training Bulletin 2013-01) stating that the possession (open carry) of a firearm is not a crime. As such, demanding identification of such an individual may constitute an infringement of the 2nd and 4th amendments.

Pistol/Stabilizing Braces:

A ban on the use of stabilizing braces effects an infringement on the second amendment for those individuals with either a) a firearm (pistol) that such a device is meant and allowed for, and b) an individual with a handicap that requires the use of such a device. While the

emotional and political argument exists that these devices increase the effectiveness of such firearms, these firearms are not “pistols” in the traditional sense as the firearm most commonly used to commit violent crimes.

3. What I feel is the most important issue AGAINST SB16:

In response to rising crime rates, the answer is always seen as additional regulation. However, multiple locals have demonstrated time and time again that additional regulation does not mean reduced crime. Chicago has severely restrictive gun laws and the highest rate of gun crime in the nation. Seattle has enacted law after law in recent years targeting gun ownership and has done nothing to reduce crime. In 2019, the Chicago Tribune published an article stating that “gun offenders [have] a high rate of recidivism”.

We must enforce the laws already on the books to give pause to those who may use guns illegally, and keep them from doing so again after a short prison sentence. If the 10-year sentence were made mandatory for those who used guns in violent crime, or for those felons who were found in possession of a firearm, progress might be made on crime committed guns.

Adding laws that only law-abiding gun owners will follow and criminals will not does not solve the problem. Additional laws targeting firearms or devices that are not used in crimes will not solve the problem. Adding laws for emotional and political capital will not solve the problem.

As a licensed gun owner and member of the military, I am well versed in the handling, use, and safety of firearms. As a medical provider, I am intimately aware of the harm that misused firearms can have on individuals and property. I also consider myself well versed in state and federal laws pertaining to firearms. However, I ask you to vote NO to SB16.

Thank you for your time.

IAN D BERGHORN

NEW BRITAIN